IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 4822 of 1993

Between:

1. Smt.Fatima Begum, W/o Late Shaik Mahmood Bin

Saeed Baothman, aged 39 years, Occ:Household.

2. Sri Hussain Bin Mahmood Baothman,

S/o Late Shaik Mahmood Bin Saeed Baothman,

Aged 21 years, Major.

3. Kum.Sultana, D/o late Shaik Mahmood Bin,

Saeed Baothman, Aged 20 years, Occ:Household.

4. Sri Shaik Abood Bin Mahmood Baothman,

S/o late Shaik Mahmood Bin Saeed Baothman,

Aged 19 years, Occ: Student.

5. Kum.Samira, D/o late Shaik Mahmood Bin

Saeed Baothman, Aged 15 years, Occ; Student.

6. Sri Abdul Rahim Bin Mahmood Baothman,

S/o late Shaik Mahmood Bin Saeed Baothman,

Aged 13 years, Occu: Student.

7. Kum.Samiha, D/o late Shaik Mahmood Bin

Saeed Baothman, Aged 12 years, Occ:Student.

8. Kum.Samia, D/o late Shaik Mahmood Bin

Saeed Baothman, Aged 9 years, Occ: Student.

9. Sri Abdul Rahman Bin Mahmood Baothman,

S/o late Shaik Mahmood Bin Saeed Baothman,

Aged 7 years, Occ:Student.

(Petitioners 5 to 9 being minors are represented by

their next friend and natural mother and guardian,

the petitioner No.1 herein)

(All are residents of H.No.18-10-89, Barkas, Hyderabad).

..... PETITIONERS

AND

1. State Bank of India, Barkas Branch, Hyderabad,

represented by its Branch Manager.

2. State Bank of Hyderabad, Gunfoundry Main

Branch, Hyderabad, represented by its

Branch Manager.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate writ, order or direction (i) directing the respondent Nos.1 and 2 herein to allow the petitioners herein to claim the contents of the Locker No.25 and Locker No.777 B by taking an indemnity bond for the same and (ii) to declare that no letters of administration or succession certificate is required to be produced by a Mohammedan heir while claiming the

contents of a locker owned operated by the deceased Mohammedan person, dying intestate and without making any nomination.

Counsel for the Petitioners: None appeared.

Counsel for the Respondents: MR.K.SRINIVASAMURTHY

The Court made the following :

ORDER:

Having regard to the fact that the counsel appearing for the petitioner is not practicing and joined employment with NALSAR, office was directed to issue notices to the petitioners. Accordingly, Office sent notices to the petitioner Nos.1 to 4. Petitioner Nos.2 and 3 were severed with notices and notices to the petitioners 1 and 4 were returned unserved with the postal endorsement 'party absent one week. Hence, returned to sender'.

In spite of the notices sent to the petitioners, no attempt has been made by them to make any alternative arrangement or pursue the matter.

Hence, Writ Petition is dismissed for non-prosecution. No costs.

_____

B.PRAKASH RAO, J.

Dated 28-10-2004.

SKMR

To

1. The Branch Manager, State Bank of India,

Barkas Branch, Hyderabad,

2. The Branch Manager, State Bank of Hyderabad,

Gunfoundry Main Branch, Hyderabad.

3.2CD copies